

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAIGE A. THOMPSON,

Defendant.

CASE NO. CR19-159 RSL

ORDER CONTINUING TRIAL
AND EXCLUDING TIME UNDER
THE SPEEDY TRIAL ACT

After considering the record in this matter, and being fully advised, the COURT
FINDS as follows:

1. Between October 4, 2021, and January 27, 2022, the parties filed eight substantive pretrial motions, in addition to numerous other procedural motions. *See, e.g.*, Dkt. 111, 122, 123, 124, 125, 127, 149, 190. At least seven of these motions are still pending resolution.
2. Of the aforementioned pretrial motions, at least four relate to outstanding discovery issues.

- 1 3. The volume and nature of the technological evidence in this case makes this case
2 unusually complex relative to most other criminal cases that come before the
3 Court.
4
- 5 4. Due to the complexity of the case, the Court requires additional time to consider
6 and resolve the numerous motions still pending disposition. The number and
7 complexity of the pretrial motions, and the Court's need for a hearing on at least
8 some of those motions, make it unreasonable for the Court to render decisions on
9 all of these motions before the case proceeds to trial on March 14, 2022. *See* 18
10 U.S.C. §§ 3161(h)(1)(D), (H), and (7)(B)(ii).
- 11 5. Because several of the outstanding motions relate to pretrial discovery issues, and
12 considering the complexity of the case, proceeding to trial before June 7, 2022,
13 would unreasonably deny counsel for the defendant and the government the
14 reasonable time necessary for effective preparation, taking into account the
15 exercise of due diligence. The parties will need the additional time provided by
16 this continuance to adequately prepare for trial after pretrial motions are resolved.
17 *See* 18 U.S.C. § 3161(h)(7)(B)(ii).
- 18 6. The parties estimate that this trial will require two to three weeks to complete, and
19 the Court considers this to be a reasonable estimate.
- 20 7. In setting a new trial date, and in addition to the factors set forth above, the Court
21 has considered the following unavailability of government counsel due to
22 prescheduled trials and travel for important family events that cannot be
23 rescheduled:
24
 - 25 a. April 11-15, 2022;
 - 26 b. April 25-29, 2022;
 - 27 c. May 2-6, 2022;
- 28

1 d. May 16-20, 2022;

2 e. June 1-6, 2022.

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4 8. In light of these scheduling conflicts, and considering the complexity of the case
5 and the specialized knowledge of the evidence required to bring the case to trial,
6 setting a trial date before June 7, 2022, would unreasonably deny the government
7 continuity of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

8 9. The Court also has considered the fact that Defendant consents to this continuance
9 and filed a waiver of her right to speedy trial, agreeing to waive that right through
10 June 21, 2022.

11 10. For the foregoing reasons, the failure to grant a continuance under these
12 circumstances would likely result in a miscarriage of justice as set forth in 18
13 U.S.C. § 3161(h)(7)(B)(i), and the ends of justice served by granting a trial
14 continuance outweigh the best interests of the public and the defendant in a
15 speedier trial within the meaning of 18 U.S.C. § 3161(h)(7)(A).

16 11. The Court incorporates its oral findings and conclusions, as stated on the record at
17 the status conference held February 11, 2022.

18 IT IS THEREFORE ORDERED that the trial date in this matter is continued to June
19 7, 2022.

20 IT IS FURTHER ORDERED that the period of time from entry of this order, up to
21 and including the trial date of June 7, 2022, shall be excludable time pursuant to 18 U.S.C.
22 §§ 3161(h)(1)(D), (h)(1)(H), (h)(7)(A), and (h)(7)(B).
23

24
25 Dated this 7th day of March, 2022.

26 

27 Robert S. Lasnik
28 United States District Judge

Presented by:

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/s/ Jessica M. Manca

/s/ Tania M. Culbertson

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